

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Grady Jackson

CASE NO. C 08-05584-CW

Plaintiff(s),

v.
Balanced Health Products, Inc.

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

Defendant(s).

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

Non-binding Arbitration (ADR L.R. 4)
 Early Neutral Evaluation (ENE) (ADR L.R. 5)
 Mediation (ADR L.R. 6) Magistrate Spero - April 1 and 2, 2009

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

Private ADR (please identify process and provider) _____

The parties agree to hold the ADR session by:

the presumptive deadline (The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)

other requested deadline _____

Dated: 3-5-09



Attorney for Plaintiff

Dated: _____

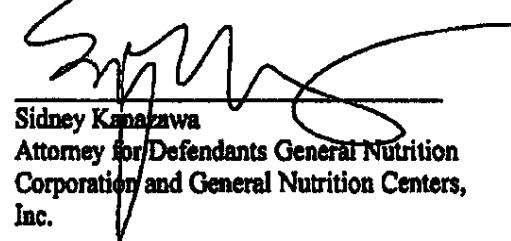
See next page for additional signatures
Attorney for Defendant

Dated: 3/5/09



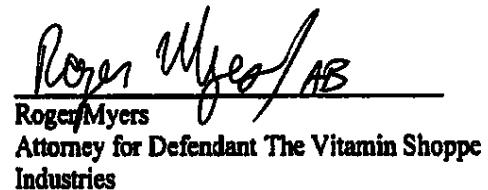
David Gernsbacher
Attorney for Defendants Balanced Health
Products, Inc. and Nikki Haskell

Dated: 3/5/09



Sidney Kanazawa
Attorney for Defendants General Nutrition
Corporation and General Nutrition Centers,
Inc.

Dated: 3/5/09



Roger Myers
Attorney for Defendant The Vitamin Shoppe
Industries

PROPOSED ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration
 Early Neutral Evaluation (ENE)
 Mediation - with Magistrate Judge Spero
 Private ADR

Deadline for ADR session

90 days from the date of this order.
 other April 1-2, 2009

IT IS SO ORDERED.

3/9/09

Dated: _____



DISTRICT

UNITED STATES MAGISTRATE JUDGE